

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SRI INTERNATIONAL, INC., a California  
Corporation,

Plaintiff and  
Counterclaim-Defendant,

v.

INTERNET SECURITY SYSTEMS, INC.,  
a Delaware corporation, INTERNET  
SECURITY SYSTEMS, INC., a Georgia  
corporation, and SYMANTEC  
CORPORATION, a Delaware corporation,

Defendants and  
Counterclaim-Plaintiffs.

C. A. No. 04-1199 (SLR)

**PUBLIC  
VERSION**

**DECLARATION OF KYLE WAGNER COMPTON IN SUPPORT OF  
SRI INTERNATIONAL, INC.'S REPLY ON ITS MOTION FOR PARTIAL  
SUMMARY JUDGMENT THAT THE LIVE TRAFFIC ARTICLE IS NOT A  
SECTION 102(b) PRINTED PUBLICATION**

I, Kyle Wagner Compton, declare as follows:

I am an Associate with Fish & Richardson P.C., counsel for Plaintiff SRI International, Inc. ("SRI"). I make the following statements based on personal knowledge.

1. Attached as Exhibit A is a true and correct copy of an abstract of the publication by Phillip Porras and Alfonso Valdes, *Live Traffic Analysis of TCP/IP Gateways*, dated August 1, 1997 located at [web.archive.org/web/19980124003236/http://www.csl.sri.com/emerald/traffic-short.html](http://web.archive.org/web/19980124003236/http://www.csl.sri.com/emerald/traffic-short.html).
2. Attached as Exhibit B is a true and correct copy of an October 2, 1997 e-mail regarding the acceptance of the Live traffic paper for publication bearing production number SRIE 0018138.
3. Attached as Exhibit C is a true and correct copy of the HTML version of the publication by Phillip Porras and Alfonso Valdes, *Live Traffic Analysis of TCP/IP*

*Gateways*, dated November 10, 1997,

[www.web.archive.org/web/19980124000949/www.csl.sri.com/emerald/live-traffic.html](http://www.web.archive.org/web/19980124000949/www.csl.sri.com/emerald/live-traffic.html),

which was produced by Symantec bearing the production numbers SYM\_P\_0507977-996. This is the version that is obtained by following the link on The EMERALD Project downloads page which was attached as Moore Decl. Ex. R.

4. Attached as Exhibit D is a true and correct copy of a string of emails between Gary Jackson and Phillip Porras re Live Traffic Analysis, dated November 17-19, 1997, bearing the production numbers SRIE0052257-0052258.

5. Attached as Exhibit E is a true and correct copy of SRI Invention Disclosure Form for Emerald, stamped October 22, 1998, bearing the production numbers SRI 287656-287659.

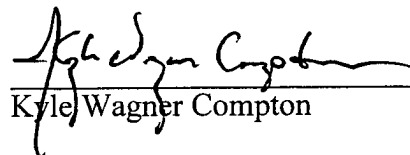
6. Attached as Exhibit F is a true and correct copy of email from Phillip Porras to Al Valdes re Live Traffic paper dated October 15, 1998, bearing the production number SRIE0408674.

7. Attached as Exhibit G is a true and correct copy of an email from Phillip Porras to edavis regarding the invention disclosure for Emerald, dated October 22, 1998, bearing the production number SRIE0408668.

8. Attached as Exhibit H are excerpts from a true and correct copy of the 30(b)(6) deposition of Phillip Porras dated March 30, 2006.

I declare under penalty of perjury under that the foregoing is true and correct.

Executed this 10<sup>th</sup> day of July 2006, in Wilmington, Delaware.

  
\_\_\_\_\_  
Kyle Wagner Compton

**CERTIFICATE OF SERVICE**

I hereby certify that on July 17, 2006, I electronically filed the foregoing document with the Clerk of Court using CM/ECF which will send electronic notification of such filing(s) to the following Delaware counsel. In addition, the document will be served by hand on Delaware counsel as follows:

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I hereby certify that on July 17, 2006, I have sent the foregoing document by Federal Express overnight delivery to the following non-registered participants:

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/s/ John F. Horvath

John F. Horvath